

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

ESSEX SPECIALTY PRODUCTS, LLC,
a New Jersey limited liability company and
a wholly owned subsidiary of THE DOW
CHEMICAL COMPANY,

Case No. 04-CV-70295-DT

Plaintiff,

v.

SIGNATURE SEALANTS, LTD., an Ohio
limited liability company; 500 COMMERCE
DRIVE, LLC, an Ohio limited liability
company; VIKING INDUSTRIES, L.L.C., an
Ohio limited liability company; JANNA
MANAGEMENT COMPANY, LTD. an Ohio
limited liability company; PJ GROUP, LLC,
an Ohio limited liability company; VIKING
MANAGEMENT, INC., an Ohio corporation;
and PATRICK JAMES, an Ohio resident,

Defendants.

ORDER OF DISMISSAL

At a session of said Court, held in the
U.S. Courthouse and Federal Building,
at Detroit, Michigan, on August 8, 2005

PRESENT: HONORABLE ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

The court having been advised by counsel that the above-entitled action has been
settled by mutual agreement, the terms of that agreement having been recited specifically
to the court in the presence of counsel and party representatives, therefore;

IT IS ORDERED that the above-entitled action be, and the same hereby is,
DISMISSED with each party to bear its own costs and fees, but without prejudice to the

right of Plaintiff to move within sixty (60) days to vacate this Order if the terms of the settlement are not reduced to writing and signed as contemplated in the settlement as recited to the court today. After 60 days from this date, or earlier as may be agreed to by the parties, this dismissal becomes **with prejudice**; provided that, in accordance with the agreement of the parties, this court retains jurisdiction to enforce the terms of the settlement as recited to the court.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: August 9, 2005

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, August 9, 2005, by electronic and/or ordinary mail.

S/Lisa G. Teets
Case Manager and Deputy Clerk
(313) 234-5522